

1 Josh Sanford (Ark. Bar No. 2001037)  
Sanford Law Firm, PLLC  
2 Kirkpatrick Plaza  
10800 Financial Centre Pkwy, Suite 510  
3 Little Rock, Arkansas 72211  
(501) 221-0088  
4 [josh@sanfordlawfirm.com](mailto:josh@sanfordlawfirm.com)

5 Attorney for Plaintiffs

6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA  
8 PRESCOTT DIVISION

8 Tony Manzo, *et al.*

No. 3:22-cv-8081-PCT-JJT

9 Plaintiffs,

10 v.

**DECLARATION OF SETH  
ZIMMERMAN**

11 Engrained Cabinetry and Countertops,  
12 LLC, Inspired Closets of Arizona, LLC,  
and Thomas Corkery,

13 Defendants.

14 I, Seth Zimmerman, do hereby swear, affirm and attest as follows, based upon  
15 my personal knowledge of the matters contained herein:

16 1. My name is Seth Zimmerman; I am over the age of 18 and duly qualified  
17 to execute this declaration.

18 2. I worked for Defendants Engrained Cabinetry and Countertops, LLC,  
19 and Thomas Corkery as a designer/ salesperson from approximately June 2017 until  
20 June 2022.

1           3.     As a designer/ salesperson, I designed and sold closet and storage  
2 solutions for Defendants' customers according to the customer and Defendants' needs  
3 and specifications.

4           4.     Specifically, I used a computer program to design custom storage  
5 solutions for Defendants' customers.

6           5.     During the first few months of my employment, I received a draw from  
7 Defendants that I was required to pay back out of my commissions once I started  
8 making sales. After the first few months, my sole source of income was commissions  
9 on sales.

10          6.     My design work for customers took more than 40 hours per week. To  
11 run a design from start to finish, I had to physically take measurements of the space I  
12 was designing for, interview the customer about their needs and budget, run price  
13 points on all materials required, create the physical design, and create a quote for the  
14 customer.

15          7.     If the customer moved forward, I also supervised the installation process  
16 and ensured everything was to customer satisfaction.

17          8.     The amount of time this took obviously varied based on the size of the  
18 job; some could take as little as 20 hours and some could take several months. I ran  
19 between 10 and 20 jobs at a time.

20          9.     Because my income was commission-based, the more sales I made the  
21 more income I earned. I regularly worked after business hours in order to finish up  
22

1 quotes and designs so that I could move projects forward. Defendants didn't ask me  
2 not to work after-hours, nor did they require me to track my time.

3 10. I probably worked at least 45 hours per week solely on making designs  
4 and quotes.

5 11. Defendants also scheduled designers/ salespeople to work regular shifts  
6 in the showroom. I worked five 8-hour shifts per week in the showroom. This was in  
7 addition to the roughly 5 to 10 hours outside the showroom I worked in making designs  
8 and quotes.

9 12. I hardly ever received my full commission. Other than paying back the  
10 draw, Defendants deducted portions of my commission for any error I made in the  
11 design such as a mismeasurement or an incorrect material.

12 **PURSUANT TO 28 U.S.C. § 1746, I VERIFY UNDER PENALTY OF**  
13 **PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA**  
**THAT THE FOREGOING IS TRUE AND CORRECT.**

14 Executed on this 25th day of October, 2023.

15 

16 **SETH ZIMMERMAN**